

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JAMES B. HUMPHREY, JR., §
CHRISTOPHER D. HUMPHREY, §
CHARLES R. CLEVELAND, JR., D.D.S., §
RONALD HUMPHREY, §
CHARLES W. ANDERSON, D.D.S., §
WILLIAM T. CONE, JR., §
CHARLES R. CLEVELAND, SR., §
and §
JULIE CLEVELAND, §

Plaintiffs, §
VS. § CIVIL ACTION NO. H-04-2051

RAY KRENEK, §
GREAT TEXAS OIL & GAS TRUST, §
WAYNE KNAPPICK, §
K&K TRUST, §
and §
FLORIAN DRYMALA, §

Defendants. §

MEMORANDUM AND ORDER

Pending before the Court is Defendants' motion for summary judgment, Docket No. 87. The motion was filed fewer than thirty days before the trial date scheduled in this matter, and therefore insufficient time remains for full briefing on the issue. The motion is, therefore, **DENIED AS UNTIMELY FILED.**

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this the 23rd day of January, 2006.



KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

**TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY
OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH
THEY MAY HAVE BEEN SENT ONE BY THE COURT.**